

MANAGEMENT DEPARTMENT[541]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 8.6(8) and 28.9(5), the Iowa Department of Management hereby gives Notice of Intended Action to adopt new Chapter 13, "First Years First Grant Program," Iowa Administrative Code.

The proposed new chapter establishes a competitive grant program to make funding available to local communities from moneys credited to the First Years First account, which is under the authority of the Iowa Department of Management pursuant to Iowa Code section 28.9(5).

These rules establish the purpose of the grant program, eligible applicants, application requirements, the application procedure, and the appeals process for the First Years First Grant Program. The program was established by the Legislature to advance quality early childhood programs and services to help prepare children from birth through five years of age for school.

Consideration will be given to all written suggestions or comments on the proposed rules on or before April 14, 2009. Such written materials should be sent to the First Years First Coordinator, Office of Empowerment, Iowa Department of Management, State Capitol Building, Des Moines, Iowa 50319; by facsimile to (515)281-4225; or by electronic mail to sonni.vierling@iowa.gov.

A public hearing will be held on April 14, 2009, at 10:30 a.m. in Room 142 at the Lucas State Office Building, 321 E. 12th Street, Des Moines, Iowa, at which time comments may be submitted orally or in writing. Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact Sonni Vierling at (515)725-2074 to advise of specific needs.

These rules are intended to implement Iowa Code section 28.9(5).

The following amendment is proposed.

Adopt the following new 541—Chapter 13:

CHAPTER 13 FIRST YEARS FIRST GRANT PROGRAM

541—13.1(28) Purposes. The purposes of the first years first grant program are to make funding available to local communities and to leverage private match moneys for advancing quality early childhood programs and services that better prepare children from birth through five years of age for school readiness. The program is established with moneys credited to the first years first account, which is under the authority of the Iowa department of management (DOM) pursuant to Iowa Code section 28.9(5).

541—13.2(28) Eligible applicants.

13.2(1) Eligible applicants for the first years first grant program include designated community empowerment areas or tax-exempt organizations classified under Section 501(c)(3) of the Internal Revenue Code. An empowerment area is defined in the administrative rules for the Iowa empowerment board (see rule 349—1.4(28)).

13.2(2) Eligible applicants must be providers of early childhood programs and services that fit within the areas of early care/education services; family support programming; health; or science and technology.

541—13.3(28) Threshold application requirements. To be considered for funding under the first years first grant program, an application shall meet all of the following requirements:

13.3(1) Be evidence-based and incorporate measurable objectives that indicate accountability and efficiency. For the purposes of this chapter, “evidence-based” means practices that are supported by the knowledge or findings of research or through the use of scientific methods. To review the most current criteria for and common elements of evidence-based practices, refer to the first years first request for proposals document, Appendix A, which can be downloaded from the following Web site: http://www.empowerment.state.ia.us/first_years_first.asp.

13.3(2) Include data measures consistent with project goals.

13.3(3) Demonstrate coordination with the local empowerment board as evidenced by a letter of support by the local empowerment board.

13.3(4) Demonstrate the ability to obtain private match funds.

541—13.4(28) Application procedure.

13.4(1) Subject to the availability of funds, applications will be reviewed by DOM staff for completeness in meeting the eligibility and threshold requirements outlined in rules 13.2(28) and 13.3(28). Applications that meet these requirements will be reviewed by the early childhood business committee, a subcommittee of the Iowa empowerment board (the Iowa board). When its review process is completed, the early childhood business committee will submit recommended applications to the Iowa board for final funding consideration. The early childhood business committee and the Iowa board are defined in rule 349—1.4(28).

13.4(2) Application contents, review criteria, and distribution information regarding first years first grant program funds shall be in accordance with the most current first years first request for proposals document, which can be downloaded from the following Web site: http://www.empowerment.state.ia.us/first_years_first.asp.

541—13.5(28) Appeal policy. An eligible applicant may file an appeal with the director of the department of management as follows:

13.5(1) *Appealable actions.* Issues that may be appealed include disbursement of funds and revocation of funding if initiated by the department.

13.5(2) *Nonappealable actions.* The denial or rejection of a grant application, the amount of a grant award, and other actions taken by the Iowa empowerment board are not appealable to the director of the department of management. These actions are subject to appeal procedures set forth by the Iowa empowerment board. Additional information about Iowa empowerment board policies can be found on the following Web site: http://www.empowerment.state.ia.us/common/pdf/ieb_appeal_process.pdf.

13.5(3) *Letter of appeal.* The letter of appeal must be submitted within five working days of the action of the department of management that led to the appeal and must clearly and fully identify all issues being contested.

13.5(4) *Time line for decision.* The director of the department shall review the appeal request and issue a decision within ten days of receipt of the request by the department or within ten days of receipt of any follow-up information requested from the applicant by the department.

These rules are intended to implement Iowa Code section 28.9(5).